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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/567,930	02/10/2006	Yasushi Miyajima	285627US6PCT	5384

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EXAMINER	
RAJAN, KAI	

ART UNIT	PAPER NUMBER
3769	

NOTIFICATION DATE	DELIVERY MODE
02/19/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/567,930	MIYAJIMA ET AL.	
	Examiner	Art Unit	
	KAI RAJAN	3769	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 November 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-14,16-21 and 23-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-14,16-21,and 23-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Examiner acknowledges the reply filed November 20, 2008.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, it is unclear whether "image generating means" comprises hardware, or merely software. The specification provides no clarification, and without more it is nearly impossible for the Examiner to determine the necessary limiting *structure* of system claim 1. Applicant is invited to point out the *structure* that comprises "image generating means."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 4, 10, 11 14, 19, 21 and 25 – 31 are rejected under 35 U.S.C. 102(e) as being anticipated by 31 McClure U.S. Patent No. 6,902,513.

1. An image displaying system, comprising:

a plurality of bio-information acquiring devices including means for measuring bio-information on each of a plurality of persons under measurement (Column 9 lines 4 – 67, column 10 lines 1 – 33 treadmills), and

means for transmitting the bio-information (Column 9 lines 38 – 56); and

an image display device including receiving means for receiving the bio-information on the plurality of persons under measurement, transmitted from each of the plurality of bio-information acquiring devices (Column 9 lines 4 – 67, column 10 lines 1 – 33),

image generating means for generating an image on the basis of relationships among the bio-information on the plurality of persons under measurement received by the receiving means (Column 9 lines 4 – 67, column 10 lines 1 – 33 locations of different runners are displayed in relation to each other determined by motion data from the treadmills), and

display means for displaying the generated image (Column 9 lines 4 – 67, column 10 lines 1 – 33 display),

wherein the plurality of bio-information acquiring devices and the image display device are located in different places and connected to each other via a network (Column 9 lines 10 – 31).

2. The image displaying system according to claim 1, wherein the image generating means generates an image representing conditions of the plurality of persons under measurement (Column 9 lines 4 – 67, column 10 lines 1 – 33 locations of different runners are displayed in relation to each other determined by motion data from the treadmills).

4. The image displaying system according to claim 1, wherein the displaying means generates images of pseudo creatures representing a condition of each of the plurality of persons under measurement, and displays the plurality of pseudo creatures simultaneously (Column 11 lines 56 – 67, column 12 lines 1 – 21).

10. The image displaying system according to claim 1, wherein the image display device includes speech generating means for generating a speech representing conditions of the plurality of persons under measurement on the basis of the bio- information, and speech output means for outputting the speech (Column 12 lines 33 – 65).

11. An image display device connected, via a network, to a plurality of bio-information acquiring devices configured to acquire bio-information on each of a plurality of persons under measurement, the image display device comprising:

bio-information receiving means for receiving the bio-information on the plurality of persons under measurement transmitted from each of the plurality of bio-information acquiring devices (Column 9 lines 4 – 67, column 10 lines 1 – 33);

image generating means for generating an image on the basis of relationships among the bio-information on the plurality of persons under measurement received by the bio- information receiving means (Column 9 lines 4 – 67, column 10 lines 1 – 33 locations of different runners are displayed in relation to each other determined by motion data from the treadmills); and

displaying means for displaying the generated image (Column 9 lines 4 – 67, column 10 lines 1 – 33 display).

14. The image display device according to claim 11, wherein

the image generating means generates images representing conditions of the plurality of persons under measurement (Column 11 lines 56 – 67, column 12 lines 1 – 21); and

the displaying means displays the images representing the conditions of the plurality of persons under measurement simultaneously (Column 11 lines 56 – 67, column 12 lines 1 – 21).

19. A method of displaying an image, the method comprising:

receiving, via a network, bio-information on each of a plurality of persons under measurement (Column 9 lines 4 – 67, column 10 lines 1 – 33 treadmills);

generating an image on the basis of relationships among the bio-information of the plurality of persons under management received in the receiving (Column 9 lines 4 – 67, column 10 lines 1 – 33 locations of different runners are displayed in relation to each other determined by motion data from the treadmills); and

displaying the image generated in the generating (Column 9 lines 4 – 67, column 10 lines 1 – 33 display).

21. The method according to claim 19, wherein the generating the image comprises generating images representing conditions of the plurality of persons under measurement (Column 9 lines 4 – 67, column 10 lines 1 – 33); and

the displaying comprises displaying the images representing the conditions of the plurality of persons under measurement simultaneously (Column 9 lines 4 – 67, column 10 lines 1 – 33 locations of different runners are displayed in relation to each other determined by motion data from the treadmills).

25. An image displaying system, comprising:

a plurality of bio-information acquiring devices including a measuring unit configured to measure bio-information on each of a plurality of persons under measurement (Column 9 lines 4 – 67, column 10 lines 1 – 33 treadmills), and

a transmission unit configured to transmit the bio-information (Column 9 lines 38 – 56); and

an image display device including a receiving unit configured to receive the bio-information on the plurality of persons under measurement, transmitted from each of the plurality of bio-information acquiring devices (Column 9 lines 4 – 67, column 10 lines 1 – 33),

an image generating unit configured to generate an image on the basis of relationships among the bio-information on the plurality of persons under measurement received by the receiving unit (Column 9 lines 4 – 67, column 10 lines 1 – 33 locations of different runners are displayed in relation to each other determined by motion data from the treadmills), and

a display unit configured to display the generated image (Column 9 lines 4 – 67, column 10 lines 1 – 33 display),

wherein the plurality of bio-information acquiring devices and the image display device are located in different places and connected to each other via a network (Column 9 lines 10 – 31).

26. An image display device connected, via a network, to a plurality of bio-information acquiring devices configured to acquire bio-information on each of a plurality of persons under measurement, the image display device comprising:

a bio-information receiving unit configured to receive the bio-information on the plurality of persons under measurement transmitted from each of the plurality of bio- information acquiring devices; (Column 9 lines 4 – 67, column 10 lines 1 – 33 treadmills)

an image generating unit configured to generate an image on the basis of relationships among the bio-information of the plurality of persons under measurement received by the bio-information receiving unit (Column 9 lines 4 – 67, column 10 lines 1 – 33 locations of different runners are displayed in relation to each other determined by motion data from the treadmills); and

a displaying unit configured to display the generated image (Column 9 lines 4 – 67, column 10 lines 1 – 33 display).

27. The image displaying system according to claim 1, wherein the image generating means generates the image based on a comparison between the bio-information on the plurality

of persons under management received by the receiving means (Column 9 lines 4 – 67, column 10 lines 1 – 33 locations of different runners are displayed in relation to each other determined by motion data from the treadmills).

28. The image display device according to claim 11, wherein the image generating means generates the image based on a comparison between the bio-information on the plurality of persons under management received by the bio-information receiving means (Column 9 lines 4 – 67, column 10 lines 1 – 33 locations of different runners are displayed in relation to each other determined by motion data from the treadmills).

29. The method according to claim 19, wherein the generating comprises generating the image based on a comparison between the bio-information of the plurality of persons under management received in the receiving (Column 9 lines 4 – 67, column 10 lines 1 – 33 locations of different runners are displayed in relation to each other determined by motion data from the treadmills).

30. The image displaying system according to claim 25, wherein the image generating unit is configured to generate the image based on a comparison between the bio- information on the plurality of persons under management received by the receiving unit (Column 9 lines 4 – 67, column 10 lines 1 – 33 locations of different runners are displayed in relation to each other determined by motion data from the treadmills).

31. The image display device according to claim 26, wherein the image generating unit is configured to generate the image based on a comparison between the bio- information of the plurality of persons under management received by the bio-information receiving means (Column 9 lines 4 – 67, column 10 lines 1 – 33 locations of different runners are displayed in relation to each other determined by motion data from the treadmills).

Claims 1, 3, 6 – 9, 11 – 13, 16 - 19, 20, 23, and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Vock et al. U.S. Patent No. 7,353,137.

1. An image displaying system, comprising:

a plurality of bio-information acquiring devices including means for measuring bio-information on each of a plurality of persons under measurement (Column 19 lines 52 – 67, column 20 lines 1 – 28), and

means for transmitting the bio-information (Column 19 lines 52 – 67, column 20 lines 1 – 28 wireless transmission); and

an image display device including receiving means for receiving the bio-information on the plurality of persons under measurement, transmitted from each of the plurality of bio-information acquiring devices (Column 24 lines 38 – 67, column 25 lines 1 – 48),

image generating means for generating an image on the basis of relationships among the bio-information on the plurality of persons under measurement received by the receiving means (Column 24 lines 38 – 67, column 25 lines 1 – 48), and

display means for displaying the generated image (Column 24 lines 38 – 67, column 25 lines 1 – 48),

wherein the plurality of bio-information acquiring devices and the image display device are located in different places and connected to each other via a network (Column 24 lines 38 – 67, column 25 lines 1 – 48).

3. The image displaying system according to claim 1,

wherein the plurality of bio-information acquiring devices include environmental information measuring means for quantitatively measuring environmental information of environments around the plurality of persons under measurement (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52); and

the image generating means generates images representing conditions of the plurality of persons under measurement and the environments around the plurality of persons on the basis of the bio-information and the environmental information (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52).

6. The image displaying system according to claim 3, wherein the image generating means generates images reflecting the relation in the environmental information among the plurality of persons under measurement (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52).

7. The image displaying system according to claim 1, wherein

the image display device includes touch detecting means for detecting a touch with the displaying means and touch signal sending means for sending a touch signal based on an output from the touch detecting means to one of the plurality of bio-information acquiring devices (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52); and

each of the plurality of bio-information acquiring devices includes a cutaneous- stimulus giving means for giving cutaneous stimulus to one of the plurality of persons under measurement when receiving the touch signal (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52).

8. The image displaying system according to claim 7, wherein the cutaneous-stimulus giving means gives stimulus at least by vibration, electric stimulus and friction (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52).

9. The image displaying system according to claim 1, wherein

the image display device includes read-out means for reading out information recorded in a recording medium (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52); and

the image generating means generates images representing conditions of the plurality of persons under measurement and environments around the plurality of persons on the basis of bio-

information and environmental information read by the read-out means (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52).

11. An image display device connected, via a network, to a plurality of bio-information acquiring devices configured to acquire bio-information on each of a plurality of persons under measurement, the image display device comprising:

bio-information receiving means for receiving the bio-information on the plurality of persons under measurement transmitted from each of the plurality of bio-information acquiring devices (Column 19 lines 52 – 67, column 20 lines 1 – 28);

image generating means for generating an image on the basis of relationships among the bio-information on the plurality of persons under measurement received by the bio- information receiving means (Column 24 lines 38 – 67, column 25 lines 1 – 48); and

displaying means for displaying the generated image (Column 24 lines 38 – 67, column 25 lines 1 – 48).

12. The image display device according to claim 11, wherein the plurality of bio-information acquiring devices include an environmental information measuring means for quantitatively measuring environmental information of environments around the plurality of persons under measurement (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52); and

the image generating means generates images representing conditions of the plurality of persons under measurement and the environments around the plurality of persons on the basis of the bio-information and the environmental information (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52).

13. The image display device according to claim 11, further comprising read-out means for reading out information recorded in a recording medium,

the image generating means generating images representing conditions of the plurality of persons under measurement and environments around the plurality of persons on the basis of bio-information and environment information pre-recorded in the recording medium (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52).

16. The image display device according to claim 12, wherein the image generating means generates images reflecting the relation in the environmental information among the plurality of persons under measurement (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52).

17. The image display device according to claim 1 l, wherein the displaying means includes touch detecting means for detecting a touch with the displaying means, and touch signal sending means for sending a touch signal based on an output from the touch detecting means to

one of the plurality of bio-information acquiring devices (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52).

18. The image display device according to claim 1 l, comprising read-out means for reading out information recorded in a recording medium,

the image generating means generates images representing conditions of the plurality of persons under measurement and environments around the plurality of persons on the basis of bio-information and environmental information pre-recorded in the recording medium (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52).

19. A method of displaying an image, the method comprising:

receiving, via a network, bio-information on each of a plurality of persons under measurement (Column 19 lines 52 – 67, column 20 lines 1 – 28);

generating an image on the basis of relationships among the bio-information of the plurality of persons under management received in the receiving (Column 24 lines 38 – 67, column 25 lines 1 – 48); and

displaying the image generated in the generating (Column 24 lines 38 – 67, column 25 lines 1 – 48).

20. The method according to claim 19, further comprising-

quantitatively measuring environmental information of environments around the plurality of persons under measurement (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52); and

the generating the image comprises generating images representing conditions of the plurality of persons under measurement on the basis of the bio-information and the environmental information (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52).

23. The method according to claim 21, wherein the displaying comprises displaying the images that reflect a relation in environmental information among the plurality of persons under measurement medium (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52).

24. The method according to claim 19, further comprising:

detecting a touch with the image medium (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52); and

giving cutaneous stimulus to one of the plurality of persons under measurement on the basis of a signal of the touch detected in the detecting medium (Column 19 lines 13 – 21, column 24 lines 38 – 67, column 25 lines 1 – 48, column 49 lines 28 – 67, column 50 lines 1 – 52).

Response to Arguments

Applicant's arguments have been fully considered and are persuasive. The previous non-final rejection has been withdrawn. A new non-final rejection has been issued above.

Applicant is invited to request an interview to discuss suggestions to overcome the prior art and advance prosecution.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAI RAJAN whose telephone number is (571)272-3077. The examiner can normally be reached on Monday - Friday 9:00AM to 4:00PM.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kai Rajan/
Examiner, Art Unit 3769

/Michael C. Astorino/
Primary Examiner, Art Unit 3769

February 16, 2009